

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

WILLIAM BROWN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

HON. JEROME B. SIMANDLE

Civil No. 10-2784 (JBS)

ORDER

This matter having come before the Court upon the Government's motion to dismiss William Brown's petition for a writ of habeas corpus [Docket Item 10]; the Court having considered the parties' submissions and finding it unnecessary to hold an evidentiary hearing; for the reasons explained in the Memorandum Opinion of today's date;

IT IS this 26th day of **May, 2011** hereby

ORDERED that the Government's motion is **GRANTED** and the Petition will be **DISMISSED WITH PREJUDICE**; and it is further

ORDERED that no certificate of appealability shall issue under 28 U.S.C. § 2253(c)(1) because reasonable jurists would not find it debatable that dismissal of the Petition as untimely was required.

s/ Jerome B. Simandle

JEROME B. SIMANDLE

United States District Judge